

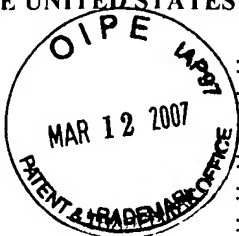
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

James Edward ANGELO, et al.

Application No.: 10/642,265

Filed: August 18, 2003



Customer Number: 20277

Confirmation Number: 1518

Group Art Unit: 1773

Examiner: Louis V. Falasco

For: RECORDING MEDIA WITH MECHANICALLY PATTERNED LANDING ZONE

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

- ☒ No additional fee is required.
☐ Applicant is entitled to small entity status under 37 CFR 1.27
☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	7	20	0	\$50.00 =	\$0.00
Independent Claims	2	3	0	\$200.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

- ☐ Please charge my Deposit Account No. 500417 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in cursive script, appearing to read "Brian K. Seidleck".

Brian K. Seidleck
 Registration No. 51,321

600 13th Street, N.W.
 Washington, DC 20005-3096
 Phone: 202.756.8000 BKS:ldw
 Facsimile: 202.756.8087
 Date: March 12, 2007

Please recognize our Customer No. 20277 as our
 correspondence address.

Docket No.: 050103-0566



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 49745
James Edward ANGELO, et al.	:	Confirmation Number: 1518
Application No.: 10/642,265	:	Group Art Unit: 1773
Filed: August 18, 2003	:	Examiner: Louis V. Falasco
For: RECORDING MEDIA WITH MECHANICALLY PATTERNED LANDING ZONE	:	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of February 8, 2007 wherein restriction has been required, Applicant hereby elects, with traverse, Species A (claims 19-24) for prosecution in the above-identified application. However, for the reasons advocated below, Applicants respectfully request that claims 19 through 25 be examined together.

The requirement for election is respectfully traversed on the grounds that the two species referred to in the Office Action are simply different embodiments of the same invention. Applicants have presented a generic invention and set forth a number of embodiments falling within the generic invention. It is submitted that all of these embodiments should be examined in a single application.

Furthermore, according to M.P.E.P. § 803, "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits,

even though it includes claims to independent or distinct inventions." A comprehensive search of any one species would necessarily include the same class (i.e. class 428) containing the unelected species, as admitted by the Examiner.

Moreover, upon allowance of a generic claim, Applicants are entitled to consideration of claim 25 (Species B) which is dependent upon a generic claim. 37 C.F.R. § 1.141.

If there are any issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicant's representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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